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Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Jason Lango, et al.

Serial No.: 10/776,458

Filing Date: 02/10/2004

For: PRE-COMPUTING STREAMING MEDIA
PAYLOAD METHOD AND APPARATUS



Examiner: Nguyen, Than Vinh

Group Art Unit: 2187

which is a continuation of:

Serial No.: 09/981,667

Filing Date: 10/16/2001

Which issued as U.S. Patent No.: 6,742,082 B1

Issued: 05/25/2004

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

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10/10/05

(Date)

TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321(c)

The undersigned attorney represents that the undersigned attorney is the attorney of record for the above-referenced patent application.

The assignee of the entire right, title, and interest in and to the above-referenced patent application is Network Appliance, Inc. ("assignee"),
(Name of Assignee)

a Delaware corporation having a place of business at
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(Address)

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The terminal part of any patent granted on the above-identified application that would extend beyond the expiration of the full statutory term of

 X United States Patent No. 6,742,082 B1, entitled Pre-Computing Streaming Media Payload Method and Apparatus, and dated May 25, 2004, as presently shortened by any terminal disclaimer,

 any patent granted on application number 0 /_____ is hereby disclaimed, except as provided below, and it is agreed that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to

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 any patent granted on application number 0 /_____, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantor, its successors, or assigns.

No disclaimer is being made as to any terminal part of any patent granted on the above-identified application prior to the expiration of the full statutory term of

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 any patent granted on application number 0 /_____ in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims canceled by a reexamination certificate, is reissued, or is otherwise terminated prior to expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

Enclosed is a check for \$ 130.00 for the fee under 37 C.F.R. § 1.20(d).

Please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

By: _____

Dated: 10/10/05

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